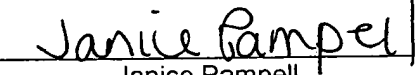


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
<b>PRELIMINARY AMENDMENT</b>	Atty. Docket No. <b>UBAT1440</b>
Applicant <b>Stephen F. Smith, et al.</b>	
Application Number <b>09/653,788</b>	Date Filed <b>September 1, 2000</b>
For <b>Digital-Data Receiver Synchronization Method and Apparatus</b>	
Group Art Unit <b>2631</b>	Examiner <b>Unknown</b>
Confirmation Number: <b>5601</b>	

Asst. Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

<p align="center"><b><u>Certificate of Mailing Under 37 C.F.R. 1.8</u></b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on <b>August 13, 2002</b>.</p> <p align="center"> Janice Pampell</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Please amend the above-identified application under 37 CFR 1.121 as follows:

Marked up versions showing changes relative to the previous versions of the following changes are included in attached Appendix I.

### **IN THE SPECIFICATION**

Please amend the specification as follows:

On page 1, replace the second heading and first paragraph with the following:

### **STATEMENT AS TO RIGHTS TO INVENTIONS MADE UNDER FEDERALLY-SPONSORED RESEARCH OR DEVELOPMENT**

This invention was made with United States Government support under prime contract No. DE-AC05-00OR22725 to UT-Battelle, L.L.C. awarded by the Department of Energy. The Government has certain rights in this invention.

**REMARKS**

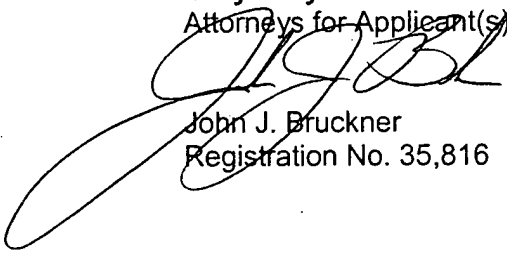
Favorable consideration of this application is requested. Claims 1-29 are pending in the application.

All of the claims are considered patentable and allowance of all the claims is respectfully requested. In the event that there are any remaining issues, the attending to of which would expedite the allowance of this application, the Examiner is invited to contact the undersigned for prompt action at the direct line telephone number appearing below.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP. A duplicate of this paper is enclosed.

Respectfully submitted,

**Gray Cary Ware & Freidenrich LLP**  
Attorneys for Applicant(s)



John J. Bruckner  
Registration No. 35,816

Dated: August 13, 2002.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE  
PURSUANT TO 37 CFR 1.111

APPENDIX 1

IN THE SPECIFICATION:

On page 1, replace the second heading and first paragraph with the following:

STATEMENT AS TO RIGHTS TO INVENTIONS MADE UNDER  
FEDERALLY-SPONSORED RESEARCH [AND] OR DEVELOPMENT

This invention was made with United States Government support under prime contract No. DE-AC05-00OR22725 to UT-Battelle, L.L.C. awarded by the Department of Energy. The Government has certain rights in this invention.